

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

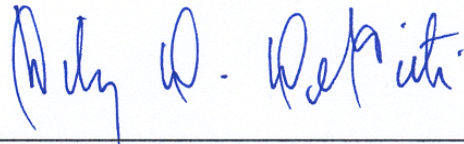
MICHAEL KLIMEK,)	
)	
Petitioner,)	
)	
v.)	Case No. CIV-09-345-D
)	
PAUL A. KASTNER, Warden,)	
)	
Respondent.)	

ORDER OF DISMISSAL

Upon examination of the case file and noting no timely objection, the Court finds Petitioner has waived further review of the findings and recommendation of United States Magistrate Judge Robert E. Bacharach issued pursuant to 28 U.S.C. § 636(b)(1). Further, for the reasons stated by Judge Bacharach, the Court finds Petitioner's habeas claim is moot and should be dismissed. Therefore, the Court adopts the Report and Recommendation [Doc. No. 18] in its entirety.

IT IS THEREFORE ORDERED that Respondent's Motion to Dismiss [Doc. No. 15] is GRANTED. The Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 is DISMISSED.

IT IS SO ORDERED this 27th day of August, 2009.



TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE